

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

RAMANVEER SING BAINS ,

Petitioner,

v.

MERRICK B. GARLAND,

Respondent.

CASE NO. 2:23-cv-00369-RJB-BAT

**ORDER DENYING MOTION FOR
COUNSEL WITHOUT PREJUDICE**

Petitioner moves for appointment of counsel in this 28 U.S.C. § 2241 habeas action. Dkt. 4. A § 2241 petitioner is not entitled to appointment of counsel unless an evidentiary hearing is required, and if one is not, only if the “interests of justice so require.” 18 U.S.C. § 3006A; *Brown v. Vasquez*, 952 F.2d 1164, 1168 (9th Cir. 1992).

There is an insufficient basis to find an evidentiary hearing is necessary. If the Court later finds an evidentiary hearing is necessary, it will appoint counsel, then, if Petitioner is financially eligible. The Court also finds Petitioner has not demonstrated the interests of justice require the appointment of counsel. He contends he lacks legal training and English is not his native language. This contention applies to virtually all immigration detainees and Plaintiff’s pleadings show he possesses the ability to clearly articulate his claims. Petitioner also claims he is a

1 *Franco-Gonzalez v. Holder* class member, but the claim is conclusory, unsupported, and belied
2 by the pleadings Plaintiff filed.

3 Accordingly, the Court ORDERS:

- 4 1. Plaintiff's motion for appointment of counsel, Dkt. 4, is **DENIED without**
5 **prejudice.**
- 6 2. The Clerk shall provide a copy of this Order to petitioner and the assigned District
7 Judge

8 DATED this 27th day of March, 2023.

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BRIAN A. TSUCHIDA
United States Magistrate Judge